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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ISAAC ROBERTO ISLAS GUTIERREZ)Case No. 2:22-cv-01043-JAD-DJA
Petitioner,) Alien No. A200-963-677
v.) USCIS Case No. IOE914914614
)
Alejandro N. MAYORKAS, in his Official,)
Capacity Secretary, DHS)
)
Merrick B. Garland, in his Official Capacity,)
Attorney General Department of Justice,) STIPULATION AND
) ORDER TO EXTEND
Leander HOLSTON, in his Official Capacity,) DEADLINE (FIRST REQUEST)
Officer in Charge, Department of Homeland)
Security Las Vegas, Nevada (USCIS Local)
) ECF No. 9
Ur Mendoza JADDOU, in her Official Capacity,)
USCIS Director,)
)
<u>Respondents.</u>)

Pursuant to Local Rules IA 6-1 and 26-4, Plaintiffs Isaac Roberto Islas Gutierrez, and Respondents, United States of America, et al., through counsel, submit the following Stipulation to Extend Deadline. This is the first request for an extension to file a Response de Respondents' Motion to Dismiss. The parties enter this stipulation because:

1. On July 01, 2022, Plaintiff filed his Complaint (ECF No. 1)
2. The United States Attorney's Office for the District of Nevada was served on October 6, 2022.
3. On December 8, 2022, Respondents filed a Motion to Dismiss (ECF No. 7).
4. Counsel for Plaintiff requests at 45-day extension because he is convalescent from a right shoulder cap surgery occurred on 12/9/22, and because of the holiday season.

5. The requested extension will provide Plaintiff additional time to submit a thorough response. This extension is necessary to have sufficient time to meaningfully review, consider, and research the relevant legal and factual issues.
6. Accordingly, the parties request that Plaintiff's Response to the Respondents' Motion to Dismiss be filed by **January 26, 2022**.

Respectfully submitted this 21st day of December 2022.

By: /s/ Xavier Gonzales, Esq.
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By: /s/ Jason Wisecup, Esq.
Trial Attorney, U.S. DOJ Civil Div.
Office of Immigration Litigation
District Court Section
Attorney for Respondents.

ORDER

Based on the parties' stipulation [ECF No. 9], IT IS SO ORDERED. And because this motion will not be fully briefed before the scheduled hearing, the 2/1/23 hearing is VACATED. The Court may set another hearing once the motion is fully briefed.


UNITED STATES DISTRICT JUDGE

DATED: 12-22-22